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**BEFORE THE  
PHYSICAL THERAPY BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Petition to Revoke Probation      Case No. 1D-2000-62651  
Against:

**LOUIS J. CONDE**  
196 West Swift  
Clovis, CA 93612

**AMENDED PETITION  
TO REVOKE PROBATION**

Physical Therapy Assistant No. AT-4607,  
Respondent.

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Complainant alleges:

**PARTIES**

1. Steven K. Hartzell (Complainant) brings this Petition to Revoke Probation solely in his official capacity as the Executive Officer of the Physical Therapy Board of California, Department of Consumer Affairs.

2. On or about December 19, 1996, the Physical Therapy Board of California issued Physical Therapy Assistant License No. AT-4607 to Louis James Conde, PTA (Respondent).

3. In a disciplinary action entitled "In the Matter of Accusation Against

1 Louis James Conde, PTA,@ Case No. 1D-2000-62651, the Physical Therapy Board of California,  
2 issued a decision, effective October 30, 2001, in which Respondent's Physical Therapy Assistant  
3 License was revoked. However, the revocation was stayed and Respondent's Physical Therapy  
4 Assistant License was placed on probation for a period of five (5) years with certain terms and  
5 conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

### 6 JURISDICTION

7 4. This Petition to Revoke Probation is brought before the Physical Therapy  
8 Board of California (Board), Department of Consumer Affairs under the authority of the below  
9 mentioned statutes and regulations.<sup>1</sup>



10 5. Section 2609 of the Code states:

11 The board shall issue, suspend, and revoke licenses and approvals to practice  
12 physical therapy as provided in this chapter.

13 6. Section 2660 of the Code states:

14 AThe board may, after the conduct of appropriate proceedings under the  
15 Administrative Procedures Act, suspend for not more than 12 months, or revoke, or impose  
16 probationary conditions upon, or issue subject to terms and conditions any license, certificate, or  
17 approval issued under this chapter for any of the following causes:

18 (i) Conviction of a violation of any of the provisions of this chapter or of  
19 the State Medical Practice Act, or violating, or attempting to violate, directly or  
20 indirectly, or assisting in or abetting the violating of, or conspiring to violate any  
21 provision or term of this chapter or of the State Medical Practice Act.@

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22 1. All statutory references are to the Business and Professions Code (Code) unless  
23 otherwise indicated.



Section 141 of the Code states:

A(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country.@

8. Section 2305 of the Code provides in relevant part that the revocation, suspension, or other discipline, restriction, or limitation by another state upon a license by that state that would have been grounds for discipline in California of a license, shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.

**FIRST CAUSE TO REVOKE PROBATION**  
(Failure to Notify Probation of a Change of Address)

9. At all times after the effective date of Respondent=s probation, Condition 10 required that Respondent shall notify the Board, in writing, of any and all changes of name or address within ten days. On January 16, 2002, Respondent informed his probation monitor that he was living in Santa Rosa, California, yet respondent refused to give an address or phone number where he was living.

10. Respondent=s probation is subject to revocation because he failed to comply with Probation Condition 10 as referenced above in paragraph 9. The facts and circumstances regarding this violation are as follows:

a. On January 16, 2002, Respondent informed his probation monitor that he was living in Santa Rosa, California, yet respondent refused to give an address or phone number where he was living. Respondent informed the monitor that he could be contacted by mail through his mother=s address in Clovis, California. To date, Respondent has submitted only the August, 2002 quarterly report and he has still not disclosed his Santa Rosa address or phone number, despite numerous attempts to secure that address by his probation monitor.

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**SECOND CAUSE TO REVOKE PROBATION**  
(Failure to Pay Cost Recovery)

11. At all times after the effective date of Respondent=s probation, Condition 2 states that Respondent is to pay the reasonable costs of investigation and prosecution of \$1,700.00 within thirty days from the effective date of the decision. To date, Respondent has refused to pay \$1, 700.00 in costs.

12. Respondent=s probation is subject to revocation because he failed to comply with Probation Condition 2, referenced above. The facts and circumstances regarding this violation are as follows:

a. On or about and between December 2001 and January 2002, Respondent told his probation monitor that he lacks the funds to pay the \$1,700.00 in costs and Respondent has made no attempt to make any partial payments or set up a payment plan to date.

### **THIRD CAUSE TO REVOKE PROBATION**

(Failure to Submit Quarterly Reports)

13. At all times after the effective date of Respondent=s probation, Condition 6 states that Respondent shall submit quarterly reports which Respondent has refused to do.

14. Respondent's probation is subject to revocation because he failed to comply with Probation Condition 6, referenced above. The facts and circumstances regarding

1 this violation are as follows:

2 a. On or about and between December 2001 and January 2002,  
3 Respondent told his probation monitor that he does not see the need to have his life monitored by  
4 the board. Respondent has produced only one quarterly report in September 2002 in the last  
5 year. The submitted quarterly report was a month late and not properly filled out. Respondent  
6 has produced no quarterly reports for February, May or November of 2002.

7 **FOURTH CAUSE TO REVOKE PROBATION**  
(Failure to Take Written Examination)

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9 15. At all times after the effective date of Respondent=s probation, Condition  
10 18 states that Respondent shall take and pass the Board=s written examination on the laws and  
11 regulations governing the practice of physical therapy within ninety days of the effective date of  
12 the settlement/decision which Respondent has refused to do.

13 16. Respondent=s probation is subject to revocation because he failed to  
14 comply with Probation Condition 18, referenced above. The facts and circumstances regarding  
15 this violation are as follows:

16 a. On or about and between December 2001 and January 2002, and  
17 again in May 2002, Respondent told his probation monitor that he does not see the need to have  
18 his life monitored by the board and he has no intention of taking the written examination. To  
19 date Respondent has not taken or passed the Board=s written examination.

20 **FIFTH CAUSE TO REVOKE PROBATION**  
(Failure to Take A Psychiatric/Psychological Evaluation)

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22 17. At all times after the effective date of Respondent=s probation, Condition  
23 27states that Respondent shall undergo a psychiatric/psychological evaluation by a Board-  
24 appointed psychiatrist/psychologist within thirty days of the effective date of the  
25 settlement/decision which Respondent has refused to do.

26 18. Respondent=s probation is subject to revocation because he failed to

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1 comply with Probation Condition 27, referenced above. The facts and circumstances regarding  
2 this violation are as follows:

3 a. On or about and between December 2001 and January 2002, and  
4 again in May 2002, Respondent told his probation monitor that he does not see the need to have  
5 his life monitored by the board and he has no intention of undergoing a psychiatric/psychological  
6 evaluation. To date Respondent has not undergone a psychiatric/psychological evaluation.

7 **SIXTH CAUSE TO REVOKE PROBATION**  
(Failure to Pay Probation Monitoring Costs)

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9 19. At all times after the effective date of Respondent=s probation, Condition  
10 28 states that Respondent shall pay all costs incurred by the Board for probation monitoring  
11 which Respondent has failed to do.

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13 18. Respondent=s probation is subject to revocation because he failed to  
14 comply with Probation Condition 28, referenced above. The facts and circumstances regarding  
15 this violation are as follows:

16 a. On or about and between December 2001 and January 2002,  
17 Respondent told his probation monitor that he does not see the need to have his life monitored by  
18 the board and to date he has failed to pay any probation monitoring costs.

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
21 alleged, and that following the hearing, the Physical Therapy Board of California issue a  
22 decision:

23 1. Revoking the probation that was granted by the Physical Therapy Board of  
24 California in Case No. 1D-2000-62651 and imposing the disciplinary order that was stayed  
25 thereby revoking Physical Therapy Assistant License No. At-4607 issued to Louis James Conde,  
26 PTA ;

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2. Taking such other and further action as deemed necessary and proper.

DATED: \_\_\_\_11/07/02\_\_\_\_\_

Original Signed By  
STEVEN K. HARTZELL  
Executive Officer  
Physical Therapy Board of California  
Department of Consumer Affairs  
State of California  
Complainant

03575160-SA2002AD1274



**Exhibit A**

**Decision and Order**

**Physical Therapy Board of California Case No. 1D-2000-62651**